

**IN THE UNITED STATES DISTRICT COURT**

**FOR THE WESTERN DISTRICT OF TEXAS**

**SAN ANTONIO DIVISION**

UNITED STATES OF AMERICA

\*

VS.

\*

CAUSE NO. SA:16-CR-00920(1)-DAE

MANUEL NICASIO

\*

**DEFENDANT'S UNOPPOSED MOTION FOR CONTINUANCE**

TO THE HONORABLE UNITED STATES DISTRICT JUDGE, WESTERN DISTRICT OF TEXAS, SAN ANTONIO DIVISION:

Now comes MANUEL NICASIO, Defendant in the above-entitled and numbered cause, by and through the undersigned Counsel, and files this unopposed motion for continuance, and in support of such motion, shows the following:

I.

The plea arrangement deadline was September 15, 2017. This cause is presently set for Jury Selection & Trial on Monday, October 2, 2017, at 9:30 a.m.

II.

The parties have been conferring and are in ongoing negotiations towards a proposed plea. They are confident they can resolve this case with additional time.

III.

The undersigned is respectfully requesting a continuance of thirty (30) days to continue conferring with government counsel on this case.

IV.

Assistant United States Attorney Sam Ponder does not oppose counsel's request for a continuance.

V.

Counsel assures the Court this motion is not made for the purpose of delay but rather in the interest of justice.

**WHEREFORE, PREMISES CONSIDERED**, the defendant prays the Court continue this cause for at least thirty (30) days.

Respectfully submitted,

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          /S/          .  
LEIGH R. CUTTER  
BAR NO. 24085965

ATTORNEY FOR DEFENDANT

**CERTIFICATE OF SERVICE**

I hereby certify that on the 28<sup>th</sup> day of September, 2017, I electronically filed the foregoing with the Clerk of Court using the CE/ECF system which will send notification of such filing to the following:

U.S. Attorney's Office  
601 NW Loop 410, Suite 600  
San Antonio, Texas 78216

/S/  
LEIGH R. CUTTER

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**ORDER**

On this the \_\_\_\_ day of \_\_\_\_\_, 2017, came on to be considered Defendant's Unopposed Motion for Continuance, and it appears to the Court that this Motion should be (GRANTED) (DENIED).

IT IS HEREBY FURTHER ORDERED: \_\_\_\_\_

\_\_\_\_\_.

SIGNED and ENTERED on this the \_\_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
DAVID A. EZRA  
U.S. DISTRICT JUDGE